MERIT vs QUOTAS

THE DESTRUCTION OF THE CIVIL SERVICE IN SEATTLE

As Supreme Court Justice William O. Douglas flatly stated in his dissenting opinion in the DeFunis case, "There is no constitutional right for any race to be preferred." Affirmative action racial and sexual quotas unjustly and unconstitutionally discriminate against white males applying for jobs, competing for promotions and in college admissions. Thousands of white males with higher qualifications are being passed over to meet Federal quotas. This not only contravenes the Fourteenth Amendment to the U.S. Constitution but it contradicts the expressed purpose of the Federal Civil Rights Act of 1964. This is clearly stated in provision 703(j) of Title VII of the Civil Rights Act:

"Nothing contained in this title shall be interpreted to require any employer... to grant preferential treatment to any individual or to any group because of the race, color, religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex or national origin employed by any employer..." (our emphasis).

THIS PROVISION OF THE LAW LEGISLATED BY OUR ELECTED REPRESENTATIVES IN CONGRESS HAS BEEN TOTALLY ABRIDGED AND CONTRADICTED BY ADMINISTRATIVE REGULATORY EDICTS.

In Seattle, Mayor Royer has demanded all heads of departments apply "selective certification" in addition to the already unfair preferential recruitment, hiring, training and promotion policies favoring "minorities" and women. In addition to the regular (and unjust) affirmative action practice of pre-assigning jobs for minorities and women achieving passing but low-ranking scores, "selective certification" means hiring minority and women applicants whose entrance exam grades would have ordinarily been considered failing. In some departments, minority and women "recruits" have been given lengthy on-the-job training with pay before having to compete in examinations with white male applicants. Mayor Royer has pre-assigned 2/3 of all new jobs in city government to minorities and women. Aside from the gross injustice of these practices, we question the future effectiveness of Seattle's civil service staffed in this manner. Can we blame dedicated civil service workers for being demoralized when hiring and promotion opportunities are preferentially assigned to persons of inferior qualifications? How would you feel?

"Affirmative action", coined by President Kennedy (Executive Order 10925), once meant advertising the fact of equal opportunity based on individual qualifications. Since 1971, the Equal (sic) Employment Opportunity Commission and other Federal agencies have profoundly altered its meaning and application. Now it stands for total and rigid quota arrangements based on race, ethnicity, national origin and gender applying to 95% of employment and college admissions.

For further information and our bumper sticker "MERIT NOT QUOTAS", please send 50¢ to Post Office Box 30681, Greenwood Station, Seattle, Washington 98103, or phone (206) 782-4688.

MERIT—Movement to End Racial Injustice and Tyranny

PO Box 30681 Seattle Wa 98103—(206) 782-4688

BAKKE AND THE WORKINGMAN

Workingmen suffering from quotas and reverse discrimination hoping that the Bakke decision would bring some relief from being treated as second-rate citizens under affirmative action were cruelly disappointed.

On June 28, 1978, the U.S. Supreme Court handed down a 5-4 decision in favor of Allan Bakke who suffered reverse discrimination under an admissions quota setting aside 16 of 100 available slots for the University of California at Davis Medical School in favor of minority applicants. The Bakke decision is a very limited victory against preferential admissions quotas to elite professional schools but it has limited value for workingmen.

Due to its limited scope, the Bakke decision has very little meaning for quotas and reverse discriminatory practices on the job. The essence of the Bakke decision is that it prohibits the use of race as an exclusionary criterion in elite professional schools.

Bakke means a school may not set aside a definite number of seats for minorities. Each position must be theoretically open to "head-to-head" competition.

The impact of Bakke on "affirmative action plans" in employment is limited because Justice Powell's split (and contradictory) position was decisive for the majority position. Powell was alone in saying that quotas were wrong but race could be a factor in choosing an applicant. The effect of this may be that employers will claim that their "plans" do not establish an exclusive two-track system and that every job is open to the "best" applicant (considering his race and sex).

Anyone who has experienced the effects of an "affirmative action plan" will immediately recognize the insane contradiction involved in Powell's position. Basically it says that a person's race (and sex) can be held against him by a school desperately trying to meet Federal statistical "goals and timetables" by hiring enough minority applicants but the institution may not pre-assign a defined number of positions for a favored group -- that would be a quota.

Under this system a school (or business?) is damned if it doesn't meet "goals and timetables" which are really quotas under another name, and damned it it does. The main difference according to Powell, is that it operates in "good faith" which means an institution must be "fair". However fine these sentiments may be, they mean nothing in protecting the rights of the workingman. Reverse racial discrimination against white males is still "the law of the land". Bakke has resolved nothing. It has merely complicated a situation which is obviously wrong and unjust. Although four Supreme Court Justices voted against reverse discrimination, four others (Brennan, White, Blackman and Marshall) didn't care if quotas were illegal so long as they were "practical". Thus, the Supreme Court failed an opportunity to move against the tragic injustice of preferential treatment according to race.

MERIT is the only organization totally dedicated to fighting quotas and reverse discriminatory practices in employment and education.

MERIT NEEDS YOUR SUPPORT NOW! OUR ABILITY TO FIGHT QUOTAS DEPENDS TOTALLY ON YOUR CONTRIBUTIONS.

DEFEND YOURSELF AGAINST QUOTAS -- IT COULD BE YOUR JOB OR PROMOTION NEXT -- SUPPORT MERIT.

GIVE A GENEROUS CONTRIBUTION TODAY!

( ) $15.00, ( ) $25.00, ( ) $50.00, ( ) $100.00, ( ) Other_____

MERIT: P.O. Box 30681, Seattle, Washington 98103 -- (206) 782-4688

What Is MERIT?

WHY AND HOW MERIT WAS ORGANIZED

The American public has been fooled into believing that "affirmative action" is equal opportunity.

Powerful groups in government, academia and the media argue that preferential quotas are both just and necessary to bring about racial harmony. They are responsible for laws and regulations which now victimize hundreds of thousands of white males on the job. Quotas and reverse discriminatory practices now affect 95% of employment. Over 12,000 companies have been compelled to submit affirmative action "plans".

MERIT was founded in February of 1978 to bring the truth of this matter to the American people and to help defend the victims of quotas. We are a strictly non-profit organization staffed by dedicated professionals. MERIT is a full-time organization operating in defense of the Due Process and Equal Protection Clauses of the Fourteenth Amendment.

WHAT MERIT IS DOING

MERIT is the only organization of its kind. Other groups oppose quotas but most opposition against quotas are focussed on the problem of admissions to professional schools. Little attention has been given to the plight of the workingman. Quotas have a much worse effect on the workingman than on applicants to elite professional schools.

MERIT is fighting reverse discrimination on all levels. It does this by investigating discriminatory practices on the job and blowing the whistle to the media. MERIT is the workingman's voice against quota injustice.

Investigation and exposure form only one level of our work. MERIT is organizing on a nationwide scale bringing diverse interests together into a coalition against quotas, bringing suit in precedent-setting cases, establishing legal defense funds, counseling centers, organizing mass meetings, and speaking out in public forums. MERIT is a fighting organization!

WHY WE MUST STOP QUOTAS

A Gallup Poll taken last year shows that 64% of nonwhites oppose special treatment. Unfortunately, these laws, regulations and court decisions have not been voted upon by the American people. Affirmative action has been engineered by a powerful, well-entrenched and extremely vocal group of political opportunists. They have misled the public's desire for fair play and racial harmony to build a regulatory empire. They make thinly-veiled threats of inner-city riots and violence if race quotas are not maintained.

"Affirmative action" has become a big business. Hundreds of thousands of persons, many of whom were hired despite inferior abilities, are entirely dependent on quotas for their jobs. This represents enormous political power for those who run the affirmative action empire.

Quotas are here to stay unless they are effectively opposed. No bureaucracy, especially one with its own built-in pressure group, ever gives up its power willingly.

One Federal report reveals that quotas will be "necessary" for the next 43 years to achieve "balanced representation"! Only a carefully coordinated and professionally led effort will stop quotas and bring relief. Piecemeal actions such as individual or class-action suits will not in themselves change the views of judges, academics and the media. Mass political action, intense lobbying and education of the public, as well as precedent-setting cases, are required to undo the "affirmative action" establishment.

A PUBLIC SERVICE ANNOUNCEMENT

WHAT THE BAKKE DECISION MEANS FOR THE WORKING MAN

Movement to End Racial Injustice and Tyranny
MERIT
p.o. box 30681, seattle 98103
(206) 782 — 4688

MERIT FIGHTS QUOTAS!

MERIT IS THE ONLY ORGANIZATION TOTALLY DEDICATED TO FIGHTING QUOTAS AND REVERSE DISCRIMINATORY PRACTICES IN EMPLOYMENT AND EDUCATION.

Chicago Tribune

Affirmative action called 'unjust'

SEATTLE, Wash.—In spite of much good sense in your June 30 editorial on the Bakke decision we find some major flaws in your reasoning. We agree with you that repeating a wrong does not achieve a good, thus invalidating Justice Thurgood Marshall's emotional contention that court-countenanced discrimination in the past justifies court-countenanced reverse discrimination now. Indeed, if groups rather than individuals experienced injustice then and only then would Justice Marshal's position hold true. In light of these intelligent remarks, we find it difficult to see how you are led to the conclusion that a finding of illegality on "affirmative action" would be in any way "intolerable."

We can only ask: intolerable to whom? And, intolerable on what moral, legal, and practical grounds? Surely you must be aware of the transformation which has occurred in "affirmative action" in the last eight years. The enforcement of equal opportunity mandated by the Civil Rights Act of 1964 and other statutes has hardened into a system of rigid quotas affecting nearly all employment and education in this country. The implementation of federally imposed "goals and timetables" has had the affect of stampeding thousands of the largest employers into favoring minority and women applicants over white males. These infernal "affirmative action plans" now rule all aspects of employment—replacing any reasonable standard of merit and competitive promotion with the compulsion to achieve artificial ethno-racial and sexual "statistical representation."

Aside from the gross injustices which this system has fostered against tens of thousands by instituting the presumption of an equality of deprivation on favored classes of minorities and women, it has demoralized much of the workforce, and established a veritable industry of bureaucratic enforcement with a strong vested interest in the maintenance of ethno-racial and sexual jealousies and antagonisms.

To speak of "affirmative action" today as promulgated and enforced by the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance, and some 25 other federal agencies and hundreds of state and local agencies, is to speak of quotas—a granting of unequal opportunities to favored categories, some of whom as collective demographic entities, are superior in education, earning capacity and well-being to the white majority population. Thomas Sowell, black professor of economics at UCLA, writes in the June issue of Commentary "that there are more Oriental scientists than there are black scientists in absolute numbers, even though the black population of the United States is more than 20 times the size of the Oriental population."

If Orientals are better off than the rest of the population, why do they require quotas? "Affirmative action" is not only unjust, it is ridiculous within its own rationale. Sowell, along with a growing number of black leaders such as Bayard Rustin, totally opposes quotas or preferential treatment of any kind.

Sowell gives evidence that more than two-thirds of the non-whites also disfavor affirmative action quotes. [A Gallup Poll taken in March, 1977 showed 64 per cent of the non-whites responding were opposed to "preferential treatment with 9 per cent undecided, and only 27 per cent in favor." According to Gallup, "Not a single population group supports affirmative action."]

In view of the facts, the question of the intolerability of repealing affirmative action quotas becomes very interesting. Not only is it a question of who really wants them but one of who really benefits from them? Again, according to Prof. Sowell this is a very strange situation when one considers the self-righteous outcries in behalf of continuing "affirmative action." He states, for instance, that "the income of blacks relative to whites reached its peak before affirmative action hiring and has declined since." Dr. Sowell's statement is strongly supported by several topflight econometric and statistical studies performed by RAND Corp. and the Brookings Institute.

If the end of affirmative action would not harm the masses of non-whites and would be welcomed by most whites who, in fact, would be discomfited?

Again, we can turn to Sowell for a hint. He says: "Bureaucratic empires have grown up to administer these programs, reaching into virtually every business, school, hospital, or other organization. The rulers and agents of this empire can order employers around, make college presidents bow and scrape, assign school teachers by race, or otherwise gain power, publicity, and career advancement . . ." But one would be demagogic to claim that the reversal of affirmative action is intolerable only to ambitious and over zealous bureaucrats.

There is, after all, a large body of influential liberal statist academics and socially active persons who have much status and pride at stake in maintaining the racial guilt theory which bulwarks their claim to moral-ideological superiority. Any admission that affirmative action quotas and reverse discrimination are not desirable and were never necessary would be a painful disspelling of their views. What is at stake here is not merely an old-fashioned avarice for power, but the quasi-religious adherence to a mythology central to white liberalism.

In the secular theology of the white liberal pillar of the community, spiritual guilt for the ostensible backwardness of non-whites has become the privileged mark of honor for the new nobility of redistribution but the actual burden of economic atonement is reserved for the "insensitive" workaday whites. There has risen a sort of self-designated priest caste of white liberal theology well insulated from the effects of its own coercive policies. Their careers and fortunes are almost unchallengeable and their families attend the best private and preparatory schools while they have consigned the rest of us to sacrifice our rights, jobs, education, and the well-being of our children. The continued emotional security of the white liberal elite requires "affirmative action" to maintain the dual myth of the cultural inferiority of non-whites and the moral inferiority of lower class whites.

This is the point which your editorial fails to comprehend. Affirmative action is a creation of the white liberal establishment which the non-white population can ill afford. But establishing a system of injustice against white majority individuals can only demean the aspirations of non-whites as well as maintain a new system of Reconstructionist segregation eventually to be overturned with prejudice by the long-suffering majority. And you know who will pay? Those unborn generations of minorities who will bear the stigma of preferential treatment. It is not the rapidly attenuating vestiges of ethno-racial bigotry and the temporary economic disproportions existing between demographically varied groups which will haunt the future of American society, but the systemic racism of quotas. Thus, as opposed to your satisfaction with the Bakke decision, we see it as a failed opportunity to terminate a clear injustice which flies in the face of explicit statutory prohibitions to the contrary.

Richard R. Solomon
Executive Director, Movement to End Racial Injustice and Tyranny

July 29, 1978

MERIT
P.O. Box 30681
Seattle, WA 98103
(206) 782-4688

Press Sheet #2

I want to become a member in support of the Movement to End Racial Injustice and Tyranny (MERIT) to abolish affirmative action which involves racial and sexual quotas.

*Name*_____ *Address*_____

*City*_____ *State*_____ *Zip*_____ *Phone*_____

I am contributing: ( ) *$10,* ( ) *$25,* ( ) *$50,* ( ) *$100,* ( ) *$500,* ( ) *$1.00, Other*____

I volunteer to: ( ) *actively inform others about MERIT,* ( ) *form a local chapter for MERIT,* ( ) *act as a newswatch in my area,* ( ) *perform other aids*_____.

MERIT needs your contribution. Our ability to fight quotas depends totally on your contribution. MERIT: P.O. Box 30681, Seattle, WA 98103, (206) 782-4688

VOICE OF THE PEOPLE

Quotas Don't Help Anybody

MERIT

Reading Rev. Samuel McKinney's July 8 column, "Retreat From Affirmative Action" one would think that blacks have been betrayed in the Bakke decision by a Nixon-controlled Supreme Court — preserved by a racist and reactionary "white man club" social order bent on denying minorities their just progress. Nothing could be further from the truth.

Nixon appointee Justice Harry Blackmun favored the retention of quotas. Another Nixon appointee, Justice Lewis Powell, gave a split decision which affirmed the consideration of race as one factor in devising affirmative action programs.

If any group is primarily responsible for demanding the unjust and destructive racial quotas imposed in education and employment it is a small elitist clique of misguided white liberals and not the majority of non whites. A Gallup Poll conducted in March of 1977 tallied 64 percent of non whites against "preferential treatment," i.e., affirmative action quotas.

Thomas Sowell, black economics professor at UCLA, bitterly denounces the kind of assertions made by Rev. McKinney. In the July issue of Commentary, he states: "The repudiation of the numerical or preferential approach by the very people it is supposed to benefit points out the large gap between illusion and reality that is so characteristic of affirmative action."

The increased recognition that quotas are not helping minorities economically or in school is strengthened by a recent statistical study performed by the prestigious RAND think-tank showing that federal quotas imposed since 1970 have had no appreciable effect on "the aggregate black-white wage ratio."

Unfortunately, the Supreme Court did not go far enough in giving an unambiguous decision against racial quotas . . . Already we have had at least eight years of making tens-of-thousands of white males unjustly pay for wrongs committed long before their birth. Millions of workers (black and white, male and female) are affected by quotas today — a situation demoralizing to persons willing and able to earn their jobs by their superior abilities. If Bakke is indeed the first step along a long torturous road to ending quotas as Rev. McKinney would have us believe, then let us proceed rapidly.

RICHARD R. SLOMON,
Seattle

July 17, 1978

OTHER VOICES

Quotas Widen Racial Gap

By Angela Basta

In reading Roberto Maestas' statement ("Bakke: No Victory for the Ghetto"), July 22, one fails to detect any substantive treatment of the Bakke decision or of quotas and reverse discrimination. Judging from his past actions in this community, one wonders why Maestas expresses concern for the law at all.

Does he not represent "El Centro de la Raza" — a group which forcibly occupied a building and, after the capitulation of local authorities, converted it into the "center of the race"? We can well imagine Maestas' indignation if a mob of whites occupied a public school building in Ballard or Magnolia and declared it a "center of the race".

But then this is part of Maestas' studiously concocted double-standard. "Civil rights" for him are merely a ploy for ethno-racial expropriation. It has nothing to do, on his part, with a genuine desire for equal treatment of all individuals under the law. Maestas' allegiance is to race and ethnicity, not to the principle of equal rights.

Fortunately, he is in an ever-dwindling minority of extremists and opportunists within the population of non-whites. The vast majority of non-whites and women are coming to the clearer recognition that quotas, preferential treatment, and legal double standards are not only unjust and unconstitutional, but impractical and downright dangerous as well.

Among those few people benefitting from quotas are the professional parabureaucrats such as Maestas whose interests are advanced by the spread of ethno-racial antagonisms, envy and division, and bureaucrats such as Eleanor Holmes Norton of whose empire of regulatory enforcement depends on propagating the myths of an all-pervasive discrimination and the demeaning inferiority of non-whites.

Undoubtedly, Maestas, and other self-appointed ethno-racial leaders have everything to gain by continued tensions. Affirmative action quotas are the perfect vehicle to perpetuate racial extremist groups. Not only do quotas tend to dampen the individual commitment to self-improvement among minority youths by offering a free lunch in school and on the job, but reverse discrimination fosters a climate of resentment among workers in non-favored groups.

Even the ultimate defeat of quotas in years to come will leave behind an unfortunate stigma of demeaning inferiority for the vast majority of non-whites and women who never desired preferential treatment but only equal opportunity to earn and achieve a better life.

There can be no reasonable doubt that what Maestas and others like him support a system of racism which treats individuals as interchangeable parts in a racial collective. Justice for a white man — Allen Bakke — by this standard is held to be wrong whatever the merits of his case. To be non-white is to be right, whereas to be white (and male) is to be wrong. Thoughtful persons of all kinds will reject Maestas' racism and sexism and base their evaluations on individual worth.

Angela Basta is media coordinator of a Seattle group called Movement to End Racial Injustice and Tyranny. The group's aim is to "expose unjust affirmative action quotas which discriminate against whites and others."

July 29, 1978

MOVEMENT TO END RACIAL INJUSTICE AND TYRANNY — MERIT
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Quota for Women

WASHINGTON — (UPI) — The Labor Department Friday set quotas for hiring women as construction workers on federal and federally assisted projects, with an initial goal of 3.1 percent by mid-1979.

Labor Secretary Ray Marshall said the [illegible] was "committed to equal employment opportunity and affirmative action" and said the new regulations establish for the first time a framework [illegible] compliance [illegible] industry.

May 17, 1978

Ring of injustice

We join with you in cheering the economic progress of black women ("Welcome gains by blacks," May 9). There can be little doubt that economic well-being and educational achievement are important factors for individual self-esteem.

The economic uplift of blacks as a group essentially free from legal and other forms of invidious discrimination in employment and education is now well established by documented economic studies. This trend, however, started long before unequal employment opportunities of federal "affirmative action" race-sex quotas took hold in the early 1970s.

A Harvard sociologist, Nathan Glazer, in his book "Affirmative Discrimination" has strongly criticized not only the unconstitutionality and moral contradictions of reverse discrimination against white males, but the practical value of affirmative action.

His heavily documented thesis, bolstered by econometric studies, contends that "a substantial measure" of economic parity for black male-headed families under 35 had already been achieved in the North and West by 1971 . . .

Chronic unemployment among unskilled rural-to-urban migrants has been, and continues to be, a problem affecting both whites and blacks. Unemployment among black teen-agers, for instance, does not result from racial discrimination but from increases in minimum wage levels, which have all but priced unexperienced and unskilled youths out of the job market . . .

As Professor Glazer notes, "affirmative action" has changed from what it originally meant in the Kennedy-Johnson administrations — to avoid discrimination and to actively inform and seek out those who might not apply — to the imposition of racial, ethnic and sexual quotas. This completely contradicts the provisions and congressional intent of the Federal Civil Rights Acts of 1964, which expressly forbade the imposition of "preferential treatment . . . on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex or national origin employed by any employer."

Preferential hiring and promotion in the workplace and preferential college admissions of minorities and women are now the federally imposed norm in nearly 95 per cent of employment and in all schools.

This not only contravenes the 14th Amendment and the Civil Rights Act but the whole concept of "equal opportunity." As Supreme Court Justice William O. Douglas flatly stated in his opinion in the DeFunis case, "There is no constitutional right for any race to be preferred . . ."

If it is true, as your editorial asserts, that affirmative action has contributed some to the economic rise of black women, we think its price — in the ever-widening ring of injustice against white males, the demeaning (and lasting) stigma of inferiority for minorities and women, and the legal hardening of racial-ethnic cleavages based on differential rights — is too high.

— Angela Basta
and others,
Movement to End
Racial Injustice
and Tyranny, Seattle

June 1, 1978

Special treatment

Your editorial statement, "Women climb the ladder," (The Times, May 10) applauding Barbara Beers on becoming this city's first woman fire fighter, is unbalanced and in error — at least by its omission of pertinent facts.

Ms. Beers did receive very special treatment and advantages unavailable to white male applicants. These facts, if properly reported, would have shown the gross injustice of this affirmative action program.

It should be remembered that Ms. Beers originally failed recruit school on her first attempt because she did not have the required upper-body strength to perform necessary fire fighter tasks. Soon thereafter, there was a furor in the local press and a sexual discrimination suit was filed against the Fire Department.

This led to the "pre-recruit" program limited to women and minority applicants. Ms. Beers availed herself of this opportunity which not only provided her with eight months of intensely supervised training, but $900 pay per month....

Despite these perks, Ms. Beers needed two eight-month periods — which included nearly two months of one-on-one instruction — to meet basic requirements. The entire program for a handful of "special class" applicants — all but one of whom quit — has cost the taxpayers at least $100,000....

It is not our wish to deny recognition of Ms. Beers' courageous tenacity amd of her authentic achievements but to look at the cost to the community of her "success"....

The tragedy is not that Barbara Beers made it through with special favors and juggled standards, or that $100,000 was spent training a mediocre (woman) fire fighter, but that this kind of thing is taking place throughout the country.

Thousands of white males are being turned down for jobs, passed over for promotions, laid off from work and rejected from admission to professional schools in preference to inferior-qualified women and minority applicants....

— Angela Basta,
Movement to End Racial
Injustice and Tyranny,
Seattle

Equal opportunities

It is quite obvious from reading Susan Lane's letter (June 25) that she has a confused notion of equal opportunity. Our letter of June 1 — the object of Ms. Lane's remarks — was compiled by the MERIT staff to address an acute and widespread abuse of affirmative action in civil-service hiring procedures.

The specific issue of Barbara Beers and the extreme advantage given her (and others in federally favored categories) over white male applicants is an example of a policy that contradicts the equal-protection and due-process clauses of the 14th Amendment and Section 703(j) of the Civil Rights Act of 1964.

Equal opportunity for men and women of all racial and ethnic backgrounds requires hiring and promotion on the basis of individual ability and capacity, i.e., merit, not on the basis of pre-assigned race and sex quotas.

The law must be applied equally on an individual basis irrespective of race, ethnicity and sex. Implicit in Ms. Lane's statement is that individual justice is served by the statistics of group representation.

That is a false premise legally and morally. It reduces individual uniqueness to the level of an identically interchangeable part within a racial, ethnic or sexual collective. It presumes an equality of culpability for white males and an equality of deprivation for minorities and women.

Ms. Lane accuses us of supporting the status quo, when actually it is she who is defending the established injustice of quotas and reverse discrimination instituted over the past decade — now affecting 95 per cent of all employment.

As director of the Office of Women's Rights for the City of Seattle, she is representative of a massive bureaucratic apparatus which has grown in this country around the false issue of affirmative action. Quota enforcement and its ideological rationalization have become a veritable industry with its own vested interest in exploiting racial, ethnic and sexual jealousies and antagonisms . .

Individuals are real entities deserving of equal treatment under the law. Groups are highly questionable abstractions. To grant a "right" to a particular group which abuses the rights of individuals is to end equality under the law. That is the importance of the 14th Amendment.

Sanctions against individuals under the law should be levied because of their personal misdeeds, not as a result of their ancestry or gender. Were preferential treatment granted to me over a superior qualified white male, I would feel wrong as well as demeaned.

— Angela Basta,
Media Coordinator,
Movement to End Racial
Injustice and Tyranny
(MERIT), Seattle

July 4, 1978

Bakke decision

In praising the ambiguity of the Bakke decision, William Raspberry (The Times, July 7) betrays his fundamental lack of confidence in the inherent rightness of racial quotas, while simultaneously attempting to propitiate the forces of reverse discrimination.

He upholds the "Harvard plan" as a model for those who, like Justice Lewis Powell, would have anti-white racism under the guise of achieving "diversity."

As is the case with many liberal apologists for reverse racism, Raspberry fails to understand that racial quotas are not evil because they are loose or tight, obvious or subtle, overt or covert, but because they involve the legal imposition of racial criteria in the selection of individuals for government benefits.

Any use of racial criteria induced or imposed by law is segregation . . .

Four Supreme Court justices gave their clear and unqualified support of this contention. The four dissenting justices argued on the basis of expediency, not the letter and intent of the law. Only Justice Powell argued for a limited retention of race as a criterion for admissions while simultaneously recognizing the express meaning of the law.

Justice Powell and thus Mr. Raspberry make an error of logic in upholding race as a valid criterion for judging individual worth. Contrary to popular misconception, race and ethnicity are not virtues in and of themselves . . .

It should be admitted that quotas are wrong because racial discrimination is irrational as well as illegal in public institutions, not because they are uncomfortable as Mr. Raspberry implies.

— Richard R. Slomon,
Executive Director,
Movement to End Racial
Injustice and Tyranny,
Seattle

July 17, 1978

The Bakke decision

Ruling's a 'limited victory,' say local Bakke supporters

Richard Slomon, executive director of MERIT (Movement to End Racial Injustice and Tyranny) said his group views the court decision as a "limited first-step victory."

MERIT was formed to prevent what they say is discrimination against white men and women who are denied access to jobs and education because of preferential quotas for minorities as a result of affirmative-action programs.

The group supported Allan Bakke's appeal to the United States Supreme Court

Slomon said he was disappointed that the court only went as far as outlawing the use of strict quotas while allowing race still to be a factor in the admissions policy.

David Stah, Pacific Northwest director of the Anti-Defamation League of B'nai B'rith, joined the MERIT group at the press conference. Stah said the league supports affirmative action as long as it is interpreted as allowing for equal employment. But he said the group opposes any affirmative-action program that uses race as the sole determining factor.

June 28, 1978

Group formed to fight reverse discrimination

A new Seattle group hopes to end what it terms discrimination against white males.

Called the Movement to end Racial Injustice and Tyranny (MERIT), the group also wants to develop a new policy of affirmative action that it says will be more beneficial to minorities and women.

Richard Slomon, MERIT's director, explained that his group is a "nonprofit, public-service corporation to inform the public on the abuses of affirmative action . . . particularly racial and sexual quotas."

Slomon said present affirmative-action programs have severely discriminated against white males.

"With affirmative action it is impossible to tell if an individual has earned his or her position by merit or because of what he or she is — racially and sexually," he said. "Affirmative action is a great 'disincentive' to white males."

When questioned about the minorities that affirmative action was developed to help, Slomon said they would have to become worthy of jobs and advanced educational opportunities on their own.

"Certainly their problems can be blamed on poor schools and environments," he said, "but we feel others shouldn't be discriminated against now because the minorities have been discrimated against in the past."

Slomon, a free-lance writer, said MERIT is funded through private contributions and will work with people who have had problems because of affirmative action. He said the group is developing a nation-wide network of people working to stop the "injustices, abuses and harm caused by misguided policy of affirmative action."

MERIT hopes to file friend-of-the-court briefs in pending affirmative-action cases (such as the Bakke case, now before the Supreme Court), under the direction of Richard Sanders, a Seattle attorney.

"WHITE MALES NEED NOT APPLY"

REVERSE DISCRIMINATION

Discrimination against white males is now required by Federal law through affirmative action "goals and timetables", which have the effect of establishing quotas favoring women and "minority" groups in hiring, promotion and college admissions.

AFFIRMATIVE DISCRIMINATION

These Federal laws and regulations which are administrative interpretations of presidential Executive Orders (11246, 11375 and others) now effect 95% of employment in this country. "Affirmative action" regs now enforced by eighteen different Federal agencies regard "underrepresentation" of minorities and women as proof of employment discrimination and grounds for severe penalties. Every employer and college admissions board is under compulsion, in effect, to hire and promote or admit and graduate minorities and women regardless of qualifications.

CIVIL WRONGS FOR CIVIL RIGHTS

These laws, never voted upon in Congress but imposed by bureaucratic social engineers, completely contradict the expressed intent of the Federal Civil Rights Act of 1964 passed by Congress to end discrimination by public institutions on the basis of race, color and national origin.

The Civil Rights Act is very clear on this matter, as this quote from Section 2000, Title 42 of the U.S. Code shows:

> "No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal assistance."

DISCRIMINATION IS UNCONSTITUTIONAL

Not only do the administrative regulations of HEW, EEOC, OCR, OFCC, etc. contradict the law legislated by our elected representatives but they contravene the Due Process and Equal Protection clauses of the Fourteenth Amendment of the U.S. Constitution.

Thus, when the Department of Labor's "apprenticeship rules" asserts that "affirmative action is not mere passive nondiscrimination..." but "...positive recruitment, training and motivation of ... potential minority group apprentices." (Federal Register V. 35 #68 p. 6811) it clearly goes against Section 1 of the Fourteenth Amendment:

> "No state may make or enforce any law which shall abridge the privileges or immunities of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

TWO WRONGS A RIGHT?

Some people feel that discriminating against white males is necessary to make up for past wrongs against certain minority groups and women. Aside from creating a new class of victims (white males), these Federal regulations are in truth demeaning and stigmatizing to minority persons and women willing and able to achieve self-betterment on their own merits. Instead of healing racial antagonism and overcoming prejudice and discrimination as the Civil Rights Act intended, these bureaucratic regs are inflaming these problems anew.

WHAT CAN WE DO?

MERIT (Movement to End Racial Injustice and Tyranny) is being organized nationwide to provide information, and counseling on discriminatory injustices. We are a non-profit, public service, educational organization staffed by people from all walks of life, aided by dedicated attorneys in the cause of justice. MERIT is the only organization performing this function today -- we need your support in the form of volunteer help and funds. Please send 50 cents for our information packet and our bumpersticker "MERIT NOT QUOTAS" to: P.O. Box 30681, Greenwood Station, Seattle Washington 98103 or phone (206) 782-4651.

Movement to End Racial Injustice and Tyranny

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MERIT IS THE ONLY MEASURE

by

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An historian looks at affirmative action...

Larry Parr (b. 1946) was a graduate student in Soviet History and American Diplomacy at the University of Washington. Presently, he is hard at work on a book about Soviet dissidents.

Mr. Parr conceived an interest in the historical background and significance of affirmative action. Some of his thoughts are contained in the following paper.

June, 1978

"MERIT IS THE ONLY MEASURE"

When Ralph Waldo Emerson described America as an "invitation to every nation, to every race and skin," when he spoke of her "hospitality of fair field and equal laws to all," and when he exhorted every free individual to "compete, and success to the strongest, wisest, and the best" -- when he expressed these sentiments and, yes, dreams in 1878, he could never have imagined that exactly a century later an opposite philosophy and policy, affirmative action, would guide America's public policy. To be sure, had Emerson lived well into the 20th century, he would have scarcely failed to notice class and racial discrimination of an oft quite lethal sort in Hitler's Germany and Stalin's Russia. But Emerson would have doubtlessly smiled indulgently and remarked that such outrages were, after all, to be expected in the old world of Europe; he would have proudly opined that in America, the new world, merit was the only measure.

Alas, although Emerson was a wise man, he would have been quite incorrect; affirmative action, government-mandated racial, ethnic and sexual discrimination, has introduced in America many of the outrages of the old world; it has, in effect, made class and race the only measure of an individual's worth.

Definition and Brief History of Affirmative Action:

The phrase "affirmative action" first appeared in an executive order issued by President Kennedy in 1962; it meant that government contractors were to seek out minorities willing to be employed. Today, affirmative action means much more; it means that public and private employers, ranging from universities to AT&T, must enroll and/or hire publicly-predetermined percentages of certain races, nationalities and sexes. If individuals of the "wrong" group possess superior qualifications, then they must, if the percentages require it, suffer discrimination. The rationale is that discrimination against, say, white males and Jews is necessary to rectify injustices often committed decades before the births of these individuals from the "wrong" class and race.

The history of how affirmative action regressed from federal efforts to ban racial discrimination on federally-financed projects to federal edicts requiring ethno-racial quotas -- this history is more than anything else the story of how unelected federal-bureaucrats, using annoying and Aesopian language in administrative orders unapproved by Congress, interpreted existing federal law in an astoundingly preverse fashion -- even considering the philosphy they serve so ambitiously.

The Civil Rights Act of 1964, the primary law for matters of class and racial discrimination, clearly outlaws discrimination based on an "individual's color, religion, sex, or national origin" (Title VII). One provision from Title VII (equal employment opportunity) possesses an obvious application to the legality of affirmative action programs; it also reaffirms the traditional American philosophy of upholding individual rather than group rights:

> *703(j) Nothing contained in this title shall be interpreted to require any employer...to grant preferential treatment to any individual or to any group because of*

the race, color, religion, sex or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex, or national origin employed by any employer...

There is expressed here an implicit and entirely proper contempt for the practices of the old world: the numerus clausus applied against Jews in Wilhelminian Germany, the infamous Nuremberg laws passed under Adolf Hitler, the rigid legal quotas and class legislation dominating Soviet law, etc. In 1964 merit was still the only measure.

It was only in late 1971 that affirmative action came to mean federally required "results"; that is, it was no longer sufficient for universities and employers to be fair when hiring and firing minorities -- unless the result was a random distribution of classes and races at all levels of employment. For the bureaucrats of the Office of Federal Contract Compliance, discrimination became the only possible explanation of "deficiencies" in achieving random "representation" in employment. These bureaucrats, who would reduce the complexities of social phenomena to a thoughtless ideological formulation, remind this writer of Jacob Burckhardt's "terrible simplifiers"; these men through their guidelines for employment ignore everything from traditionally varying interests of different groups to unequal aptitudes among prospective employees.

For Harvard sociologist, Nathan Glazer, the fact that federal bureaucrats and local affirmative action administrators still call the preceding "equal employment opportunity" is "simply another example of the misnaming of reality in an age in which words are easily distorted into their opposites."

Business and Academia:

If any single phrase can encompass the effects of affirmative action in the worlds of business and academia, it would be that it encourages mediocrity and eventually guarantees incompetence. One authority contends that affirmative action constrains "any effort to set a higher standard of employment, or, indeed, any standard, if it serves to have disproportionate impact, even a

minor disproportionate impact, on the employment of some specific group." In practice, as Nathan Glazer writes, almost any ability test is considered unlawfully discriminatory:

> *When the testing authorities of the Equal Employment Opportunity Commission are asked for an example of a test that will pass muster as legitimate, if blacks pass at a lower rate, the only example they seem to come up with is a typing test. Even that, we should point out, may not be used indiscriminately. One cannot, for example, require a higher level of typing than that possessed by the poorest typist one has hired, if the higher level served to select one ethnic group or race more or less than another. Under this rule, one could guarantee that the level of typing would steadily decline.*

When considering the cavalier disregard for merit evinced by "the testing authorities" in the above quotation, this writer is irresistably reminded of a manifesto issued by a 19th century radical group, the Union of the Equal:

> *We want real equality or death, that's what we want. For its sake we would agree to anything, we would sweep everything away in order to retain just this. Let all the arts vanish if necessary, so long as we are left with genuine equality.*

Of course, it would be patently untrue to accuse most affirmative action supporters of such demented nihilism, but, as we shall see, the results of affirmative action in the worlds of business and academia might warm the hearts of the long dead adherents of that old world group, the Union of the Equal.

In "Are Quotas Here to Stay?", Allan Ornstein estimates that affirmative action directives affect 95% of the employment market. The effect of these directives is to diminish the importance of 1) Qualifications; and 2) Experience. In one court case, United Airlines agreed to pay more than one million dollars to minorities and women selected at random because of "under-representation" of

these types of people within the company. In addition, these beneficiaries of "back pay" also received retroactive seniority -- despite never having labored a day for United Airlines. In the case of AT&T, this firm disbursed tens of millions of dollars to minority and female employees because they were "not randomly distributed to all jobs." The government never charged actual discrimination; it only noted statistical inequalities. The questions of qualifications and experience were simply ignored.

One danger of writing about affirmative action in the academic world is that the reader's credulity is severely strained: "If what you say is true, then why isn't something being done? Aren't you really exaggerating?" In these queries there are both healthy skepticism and, alas, an irksome complacency born of ignorance. Nowadays, many Americans simply do not take the time to discover what occurs in their schools. Unfortunately, what is now happening in academic institutions ranging from Oregon grade schools to Ivy League universities is so awful that, to answer our skeptical readers, exaggeration is unnecessary and, in fact, rather difficult to achieve. In short, the truth eclipses almost any possible lie.

Although most Americans are well-aware of the injustices in forced bussing, the threat posed by affirmative action to scholastic standards has until recently received little attention. One common situation, experienced by a group of children from Oregon, is the constant switching of substitute teachers from class to class because hiring a full-time white teacher (minority candidates being unavailable) would upset the required racial percentages for full-time faculty. At one Ivy League school several HEW bureaucrats discovered that the proper study of religion was <u>in itself</u> discriminatory as Professor Glazer describes:

> *...representatives of the Regional HEW demanded an explanation of why there were no women or minority students in the Graduate Department of Religious Studies. They were told that a reading knowledge of Hebrew and Greek was presupposed. Whereupon the representatives of HEW advised orally: "Then end those old fashioned programs that require irrelevant languages. And start up programs on relevant things which minority group students can study without learning languages."*

That presumably well-educated lawyers could utter such barbaric nonsense, brings to mind Thomas Gray's observation that there is rabble even amongst the gentry.

Writing in Saturday Review, the dean of humanities at City University in New York presented a case study of the effects of affirmative action on that institution. It all began with militant minority activists engaging in "cultural intimidation of the white faculty"; they demanded the creation of "ethnic studies departments" bulging with mediocre faculty members who occupied their time shepherding semi-literate students. Against this backdrop of seething black anger and cowed white professors, the enrollments in traditional courses declined in favor of what the dean called "sexy courses": homosexual literature, Jewish fertility, etc. With academic rigor of this kind, the English department very quickly went from offering 70% of its courses in literature and composition to 70% in remedial writing. Finally, as Dean Theodore Gross relates, it became impossible even "to contemplate dismissing a black, or Puerto Rican, or a woman unless he or she was utterly incompetant." If minority teachers were fired, then the minorities they represented would become statistically "underrepresented" according to the required "goals and timetables".

And while on the subject of the obstacles affirmative action erects before the hiring of competent faculty members, the actual advertisements for positions tell the story: "We desire to appoint a black or Chicano, preferably female..."; "Our doctoral requirements for faculty will be waived for candidates who qualify under the affirmative action criteria...," etc. One faculty candidate received a typically blunt reply: "It will be possible for me to contact you for a position only in the event you are black." If experienced white PhD's discover that their race makes them unemployable in their profession, then persons with rather different "qualifications" are now finding employment at our universities. For example, one Warren Kimbro, a former Black Panther and convicted murderer (paroled after serving four years of a 20-to-life sentence), was recently hired as assistant dean of student affairs at Eastern Connecticut State College. Mr. Kimbro had pleaded guilty to the misdemeanor of firing the first shot into a suspected police informer.

Almost involuntarily, one wonders whether or not affirmative action will destroy our schools as seats of learning. Eugene McCarthy fears that it will lead to a "level of education so reduced that all who enter do so with assurance of successful graduation." One finds it difficult not to agree with his observation that "With no possible abandonment of hope at any point, they could look forward to something like the judgement of the Dodo after the caucus race in Alice in Wonderland: Everybody has won, and all must have prizes."

Certainly, affirmative action has already weakened the traditional dedication to one's job or profession which was exhibited by a French grammarian of the last century who on his deathbed said with a smile, "I am about to or I am going to die. Either is correct."

Affirmative Action in Housing:

In the words of Nathan Glazer, there is currently "An extensive search for legal and political means to open up the suburbs to the poor and black..." Federal bureaucrats await a major court decision striking down the right of local communities to forbid low-income housing through restrictive zoning codes. If a community is without its "proper" share of poor and minority types, then mass low-income housing may be necessary to produce a random representation of all classes and races in the community -- and, in fact, in all communities. The history of affirmative action in housing differs from that of business and education only in that no judge has yet decreed mandatory housing quotas. In housing, affirmative action is still in the "goal" and "target" stage.

Affirmative Action as a "Threat":

Demagogues usually use the word "threat" for disreputable purposes; they excite their subjects with an array of threats comprehending everything from Zionist agents in the Soviet Union to imperialist rodents like Mickey and Minnie Mouse in East Germany. The word "threat" is understandably in bad odor,

yet it does have a legitimate meaning as "an expression of intention to hurt, destroy, punish...." In this sense, affirmative action threatens many values which are dear and necessary for the existence of a liberal and progressive society:

1) Affirmative action threatens America's traditional understanding of ethnic rights -- an understanding based on the idea that while ethnic groups may not expect special benefits beyond those available to all Americans and while ethnic groups may not establish their own state organs, individual members of an ethnic group are free to live as they please in peace. America is the new world of free individuals rather than the old world of politically defined ethnic groups.

2) Affirmative action threatens the primary principle of a liberal society: Only the single person, the individual, possesses rights. When rights are vested in groups, it soon happens that "group rights" become an excuse to destroy individuals. In Hitler's Germany, the "rights" of the German people came to mean that only Germans had rights; in Stalin's Russia the "rights" of the proletariat meant that no single person, an individual, possessed any rights whatsoever. In America, affirmative action bureaucrats already speak openly of "group rights" transcending the rights of single persons, individuals.

3) Affirmative action threatens members of groups (e.g. Jews) who through talent and effort are "overrepresented" in certain professions. Affirmative action may soon become a national quota system designed to punish ambitious members of successful groups.

4) Affirmative action threatens the good reputations of several million qualified and completely competent women and minorities who have successfully entered the professions without relying on quotas and legal action.

5) Affirmative action threatens the traditional American understanding of an individual's worth: in personal and professional merit.

But for those of us at MERIT (Movement to End Racial Injustice and Tyranny), Ralph Waldo Emerson's invitation to all free men to "compete, and success to the strongest, wisest, and the best" -- this invitation can still stir our blood. We believe that this is the case with most of our readers. And, once again, we believe that one's personal and professional merit is still the only measure.

Mr. Parr's essay is one in a series issuing information on the problems of racial quotas and reverse discrimination. One of MERIT's principal objectives is providing the public with the necessary background to understand the complex problems resulting from "affirmative action". It is our view that protection of our Constitutional rights can only be maintained within a climate of knowledge. All too often, the advocates of unconstitutional laws and regulations have been able to maintain the appearance of legitimacy through widespread confusion and apathy on the issues.

MERIT (Movement to End Racial Injustice and Tyranny) was founded in February, 1978 to oppose and mitigate the injustices of racial quotas and other reverse discriminatory practices. Since its founding, MERIT has been active in investigating these abuses in all sectors of employment and in education and bringing these to the attention of the public. Our successful approach to the press and media has vastly amplified our overall impact on the public consciousness and to that extent, chilled the ardor of regulatory agencies. MERIT is also involved in an increasing number of precedent-setting cases, and in organizing coalition efforts, legal defense funds, and legislative lobbying efforts.

MERIT is the only public advocacy organization specifically incorporated to oppose quotas on a nationwide scale. Our activities require the continued generous support of working people in order to be effective. If our voice is to be heard and constitutional safeguards brought to triumph over the tragic insanity of quotas and reverse discrimination, we must raise multi-million dollar budgets each year. The advocates of quotas and reverse discrimination -- our adversaries -- have vast public and private resources at their disposal. Thus, we need your support now.

Please do not delay in sending your generous donation today to the cause of equal rights under law. Tomorrow may just be too late in preventing the Orwellian nightmare of a totalitarian society based on racial, ethnic and sexual quotas. Our children deserve better.

MERIT is the only organization totally dedicated to fighting quotas and reverse discriminatory practices in employment and education.

MERIT needs your contribution. Our ability to fight quotas depends totally on your contributions.

Defend yourself against quotas -- give a generous contribution today!

( ) $1.00, ( ) $15.00, ( ) $25.00, ( ) $50.00, ( ) $100.00
( ) Other $_____.

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